

IN THE UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

UNITED STATES OF AMERICA

§
§
§
§

v.

No. 5:21-MJ-36

JIMMY SCARBROUGH

§

ORDER EXTENDING INDICTMENT DEADLINE

Before the Court is the government's *Motion to Extend Indictment Deadline*. After considering the motion, the Court is of the opinion that the motion is meritorious and should be GRANTED.

The Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, includes a thirty-day arrest-to-indictment rule. Specifically, Section 3161(b) provides the following:

Any information or indictment charging an individual with the commission of an offense shall be filed within thirty days from the date on which such individual was arrested or served with a summons in connection with such charges.

In this case, the defendant was arrested on May 18, 2021. Pursuant to an agreed motion, the Court extended the indictment deadline to September 30, 2021.

As grounds for the extension, the government contends that parties are exploring a preindictment resolution of this case. The defendant was arrested on a federal criminal complaint, appointed counsel, advised of the charges against him, and released on conditions. The government contends that any delay in presenting the case to the grand jury would not prejudice the defendant. The government further asserts that an extension

would serve the public interest by permitting a preindictment resolution that did not require significant grand jury or court resources.

Counsel for the defendant does not oppose the government's motion.

The ends of justice require this Court to extend the government's deadline to charge the defendant by indictment. The ends of justice outweigh the best interest of the public and the defendant in a speedy indictment. 18 U.S.C. § 3161(h).

Accordingly, it is ORDERED that the motion for extension should be and hereby is GRANTED.

It is further ORDERED that the new indictment deadline is November 19, 2021.

SIGNED this 10th day of September, 2021.



CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE